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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,464	11/14/2001	Yasushige Nakamura	011523	6989
38834	7590	11/28/2003	EXAMINER	
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP			RODEE, CHRISTOPHER D	
1250 CONNECTICUT AVENUE, NW				
SUITE 700			ART UNIT	
WASHINGTON, DC 20036			PAPER NUMBER	
			1756	

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. ^{AS}
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EXAMINER

ART UNIT	PAPER
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112003

DATE MAILED:

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Commissioner for Patents

The reply filed on 14 October 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In the last Office action the Examiner made a requirement that "applicant submit sufficient evidence to prove that the international application was copending with the U.S. national (35 U.S.C. 111(a)) application claiming benefit under 35 U.S.C. 120 and to show that the instant application has at least one inventor in common with the prior PCT application." In response to this requirement applicant has submitted a translation of the parent PCT application as well as the corresponding publication of this document. Based on the publication of the PCT document it is apparent that the US application has at least one inventor in common with PCT document. However, applicant has not complied with the other condition of this requirement, specifically to prove that the international application was copending with the U.S. national (35 U.S.C. 111(a)) application claiming benefit under 35 U.S.C. 120. The US national application was filed on 14 November 2001. Applicants must show copendency on this date. This is particularly pertinent to the prosecution of the instant application because applicants are relying on the priority claim to antedate an applied reference.

See 37 CFR 1.111.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher D RoDee whose telephone number is 703 308-2465. The examiner can normally be reached on most weekdays from 6 to 4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on 703 308-2464. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-0661.

cdr
24 November 2003

CHRISTOPHER RODEE
PRIMARY EXAMINER